



## **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

- ☐ CENTRAL DIVISION, FAMILY COURT, 1555 6TH AVE., SAN DIEGO, CA 92101 (619) 450-7888
- ☐ EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 (619) 456-4100
- ☐ NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 (760) 201-8300
- ☐ SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910 (619) 746-6097

### **MEDIATION INFORMATION SHEET**

#### **What Is Mediation?**

Mediation is a process in which parties are given the opportunity to work together, with the assistance of an experienced counselor, towards a goal of reaching an agreement regarding a parenting plan for the child(ren). The mediation conference is an opportunity for parties to discuss issues and make decisions which are in the best interest of the child(ren). The parenting plan that is developed will detail when the children are to be with each party and will specify other parental responsibilities.

To encourage an impartial atmosphere, the only papers accepted by the counselor, other than the Mediation Data Sheet (SDSC Form #FCS-002)(which is enclosed and should be completed and returned prior to your appointment), are declarations which have been personally served on the other party in accordance with local court rules. A proof of service is required if papers are to be accepted.

Telephone calls to a counselor after the mediation will not be accepted unless the counselor has requested specific information. All information which you want to relay to the counselor should be made available in the mediation session. The counselor may make follow-up calls to gather additional information.

The counselor will notify the court of areas of agreement. If agreement is not reached the counselor will make recommendations to the court as to what is believed to be in the best interest of the child(ren). Public policy in California is to assure children frequent and continuing contact with both parents and to encourage parents to share the benefits and obligations of child rearing.

#### **What will happen during mediation?**

You will view an orientation video before seeing a counselor. The mediation conference will last 1½ to 2 hours. The Mediation Data Sheet will be reviewed. You will be asked about your home, relationships and other aspects of your life related to parenting.

#### **What are the limitations of mediation?**

Mediation does NOT deal with issues related to money, child or spousal support or property issues. These should be discussed with your attorney. Family Court Services cannot monitor or enforce court orders.

Do NOT bring the child(ren) with you for the mediation appointment unless ordered to do so by the court. If an interview with the child(ren) is needed, arrangements will be made for this at a later time.

#### **Are the parties always seen together in the mediation conference?**

Parties must be available to participate in the mediation. Arrangements can be made for a telephone conference if one party is out of the county. The parties will be seen separately if there is a history of abuse or violence.

### **IMPORTANT**

While you may be experiencing various emotions such as hurt, fear and anger during this time of transition, please keep in mind that your child(ren) are also going through this transitional period and are in need of your emotional support. One of the most important things you can do to promote your child(ren)'s positive adjustment is to support the child(ren)'s relationship with the party/ies. In mediation, it is beneficial to constructively work together to develop a parenting plan which is in the best interest of the child(ren).

**If you do not need the mediation appointment you must cancel it at least 48 hours prior to the appointment time. If you do not cancel the appointment and/or fail to appear for the appointment you may be ordered by the court to pay a monetary sanction of up to \$1500 pursuant to Code Civ. Proc. § 177.5.**